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Lynne M. Christenbury

March 24, 1997

Date

10/023066  
10/15 U.S.P.T.O.  
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

CASE NO.: BB-1037-D

SAVERIO CARL FALCO  
SHARON JO KEELER  
JANET ANN RICE

SERIAL NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: MARCH 24, 1997

EXAMINER: UNKNOWN

FOR: CHIMERIC GENES AND METHODS  
FOR INCREASING THE LYSINE AND  
THREONINE CONTENT OF THE  
SEEDS OF PLANTS

Date: MARCH 24, 1997

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.97 AND 1.98

Pursuant to the duty of disclosure as set forth in 37 C.F.R. 1.56, the Applicant(s) would like to bring to the attention of the U.S. Patent and Trademark Office information that may be helpful in the examination of the above-identified patent application. All of the information is listed on an attached Forms PTO-1449 and PTO-892.

In this regard, benefit of the earlier filing dates of U.S. patent application serial numbers 08/474,633 filed June 7, 1995; 08/178,212 filed January 6, 1994; and 07/855,414 filed March 19, 1992 are claimed under 35 USC 120 for the captioned application. Thus, information cited in the priority application is not supplied with this Information Disclosure Statement. See 37 CFR 1.98(d).

Respectfully submitted,

Lynne M. Christenbury

Lynne M. Christenbury  
Attorney for Applicants  
Registration No. 30,971  
Telephone: 302-992-5481

Enclosures

CC: A.D. Wolf

INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)

APPLICANT

S. C. FALCO

FILING DATE

MARCH 19, 1992

GROUP

1804

c715 U.S. PTO  
10/028066  
12/17/91

## U. S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
							YES

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Mertz, <u>Science</u> , 145, 279 (1964)
		Nelson, <u>Science</u> , 150, 1469-70 (1965)
		Deutscher, <u>Adv.Exp. Medicine and Biology</u> , 105, 281-300 (1978)
		Vasal, et al., <u>Proceedings of the 3rd Seed Protein Symposium</u> , Gatersleben (Aug 31-Sept 2, 1983)
		Altenbach, et al., <u>Plant Mol.Biol.</u> 8:239-250 (1987)
		Altenbach, et al., <u>Plant Mol.Biol.</u> 13:513-522 (1989)
		Giovanelli, et al., <u>Plant Physiol.</u> 90:1584-1599 (1989)
		Glassman, et al., <u>PCT Patent Appln PCT/US89/01309</u> (1989)
		Galili, et al., <u>Abstr. 422 from Third Int'l Cong. of Int.Soc. Plant Mol.Biol.</u> (1991)
		Richard, et al., <u>J. Bacteriology</u> 166:297-300 (1986)
		Bonnassie, et al., <u>Nucleic Acids Research</u> 18:6421 (1990)
		Yeh, et al., <u>Mol.Gen.Genet.</u> 212:105-111 (1988)
		Katinka, et al., <u>Proc.Nat'l Acad.Sci. USA</u> 77:5730-5733 (1980)
		Zakin, et al., <u>J.Biol.Chem.</u> 258:3028-3031 (1983)
		Rafalski, et al., <u>J.Biol.Chem.</u> 263:2146-2151 (1988)
		Bright, et al., <u>Nature</u> , 299:278-279 (1982)
		Rognes, et al., <u>Planta</u> 157:32-38 (1983)

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**  
(Use several sheets if necessary)

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S. C. FALCO	
FILING DATE	GROUP
MARCH 19, 1992	1804

**U. S. PATENT DOCUMENTS**

**FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

Arruda, et al., Plant Physiol. 76:442-446 (1984)

Hibbard, et al., Planta 148:183-187 (1980)

Diedrich, et al., Theor.Appl.Genet. 79:209-215 (1990)

Dotson, et al., Planta 182:546-552 (1990)

Frankard, et al., Theor.Appl.Genet. 82:273-282 (1991)

Wilson, et al., Plant Physiol. 97:1323-1328 (1991)

Kaneko, et al., J.Biol.Chem. 265:17451-17455 (1990)

Frisch, et al., Mol.Gen.Genet. 228:287-293 (1991)

Cassan, et al., J.Biol.Chem. 261:1052-1057 (1986)

Negrutui, et al., Theor.Appl.Genet. 68:11-20 (1984)

Theze, et al., J.Bacteriol. 117:133-143 (1974)

Shaul, et al., The Plant Journal 2(2):203-209 (1992)

Giovanelli, et al., Plant Physiol. 90:1577-1583 (1989)

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SERIAL NO.	GROUP/ART UNIT	ATTACHMENT TO PAPER NUMBER
855414	1804	5

## NOTICE OF REFERENCES CITED

APPLICANT(S)

Falco, S.C.

## U.S. PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A						
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## FOREIGN PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.	PP. SPEC.
L								
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## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	Doyle, J.S. et al. (1986) J. Biol. Chem. 261: 9228-9236
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EXAMINER	DATE
McElwain	7-28-92

\* A copy of this reference is not being furnished with this office action.



Form PTO-1449 (Reproduced)	Docket Number (Optional) <b>BB-1037-B</b>	Application Number <b>08/178,212</b>
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Applicant <b>FALCO, ET AL</b>	
	Filing Date <b>1-6-94</b>	Group Art Unit <b>1804</b>

# **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO
	WO 89/11789	12-14-89	PCT	A01H	1/00		
	91/119328.2		EPO			X	
	0 485 970	11-13-91	EPO	C12N	15/82		
	0 435 132	7-3-91	EPO	C12N	15/09		

**OTHER DOCUMENTS** (*Including Author, Title, Date, Pertinent Pages, Etc.*)

	Mertz, E., <i>Science</i> , 145, 279-280, 1964.
	Nelson, <i>Science</i> , 150, 1469-1470, 1965.
	Deutscher, D. <i>Adv. Exp. Medicine and Biology</i> , 105, 281-300, 1978.
	Vasal, S.K., et al., <i>Proceedings of the 3rd Seed Protecin Symposium</i> , Gatersleben, August 31-Sept. 2, 1983.
	Giovanelli, J. et al, <i>Plant Physiol</i> , 90, 1584-1599, 1989.
	Shaul, O. et al, <i>Plant Journal</i> , 2, 203-209, 1992.

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Form PTO-1449  
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**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**  
*(Use several sheets if necessary)*

Docket Number (Optional)  
**BB-1037-B**

Application Number  
**08/178,21**

#### **Applications**

FALCO, ET AL

**Filler Date**

1-6-94

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1804

**U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS** (*Including Author, Title, Date, Pertinent Pages, Etc.*)

	Perl et al, <i>Plant Mol. Biol.</i> , 19, 815-823, 1992.
	Shaul, O., <i>Plant Physiol.</i> , 100, 1157-1163, 1992.
	Brochetto-Braga, M.R. et al, <i>Plant Physiol.</i> , 98, 1139-1147, 1992.
	Cassan, M. et al, <i>Journal of Biological Chemistry</i> , 26(3), January 25, 1986.
	Doyle, J.J. et al, <i>J. Biol. Chem.</i> , 261, 9228-9236, 1986.
	DATABASE WPIL, Section Ch. Week 9214, Derwent Publications Ltd., London, GB; Class C06, AN 92-113940.

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Reproduced)	Docket Number (Optional) <b>BB-1037-B</b>	Application Number <b>08/178,212</b>
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		<b>Applicant</b> <b>FALCO, ET AL</b>
<b>Filing Date</b> <b>1-6-94</b>		<b>Group Art Unit</b> <b>1804</b>

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS** (*Including Author, Title, Date, Pertinent Pages, Etc.*)

Altenbach, et al, *Plant Mol. Biol.*, 8, 239-250, 1987.  
Altenbach, et al, *Plant Mol. Biol.*, 13, 513-522, 1989.  
Glassman, et al, PCT Patent Application PCT/US89/01309, 1989.  
Galili, et al, Abstr. 422 from *Third Int'l Cong. of Int. Soc. Plant Mol. Biol.*, 1991.  
Richard, et al, *J. Bacteriology*, 166, 297-300, 1986.  
Bonnassie, et al, *Nucleic Acids Research*, 18, 6421, 1990.

EXAMINER \_\_\_\_\_ DATE CONSIDERED \_\_\_\_\_

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TO  
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## NOTICE OF REFERENCES CITED

APPLICANT(S)

Falco et al

## U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A	5024944	6-91	Collins et al	435	177.3	—
B	4886878	11-88	Larkins et al	536	2.6	—
C						
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## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG	PP. SPEC.
*	L 8911789	12-89	WO	Glassman	—	—	—	—
M								
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Q								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	Cassan et al (1986) J. Biol Chem 26(3): 1052-1057
S	Hertz (1964) Science 145: 279-280
T	Brochette-Braga et al (1992) Plant Physiol 98: 1139-1147
U	Guerche et al (1990) Mol Genet 221: 306-314

EXAMINER

DATE

E McElwain

9-22-94

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SERIAL NO.

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GROUP ART UNIT

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ATTACHMENT  
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PAPER  
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## NOTICE OF REFERENCES CITED

APPLICANT(S)

Falcon et al.

## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

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L								
M								
N								
O								
P								
Q								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	Jacobs et al (1985) Nature 313 : 806 - 810		
S	Pedersen et al (1986) J Biol Chem 261 (14) : 6279 - 6284		
T	Leonard et al (1984) Nature 311 : 626 - 631		
U	Matsudaira (1987) J Biol Chem 262 (21) : 10035 - 10038		

EXAMINER

DATE

S McElwain

9-22-94

Page 2 of 3

## NOTICE OF REFERENCES CITED

APPLICANT(S)

Falco et al

## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

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	L								
	M								
	N								
	O								
	P								
	Q								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	Matzudara (1990) Methods in Enzymol. 182: 602 - 613
S	Lewin (1987) Science 237: 1570
T	
U	

EXAMINER

DATE

E M'Elwain

9-27-94

page 3 of 3

\* A copy of this reference is not being furnished with this office action.

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## NOTICE OF REFERENCES CITED

APPLICANT(S)

Talco et al

## U.S. PATENT DOCUMENTS

.	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
X A	5367110	11-27-94	Gairola	300	205	11-13-91
B						
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## FOREIGN PATENT DOCUMENTS

.	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.	PP. SPEC.
X L	89111789	14-12-89	WO	Glassman	—	—	—	—
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O								
P								
Q								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	Bonnassie et al (1990) Linear Alk Res 18 (21):6421		
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T			
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